

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEVIN WAYNE MOBLEY,

Petitioner,

v.

HARRY WILSON, ET AL.,

Respondent.

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**CIVIL ACTION NO:
06-4591**

ORDER

AND NOW, this ____ day of May, 2007, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey and no objections having been filed thereto by *pro se* Petitioner, Kevin W. Mobley, **IT IS HEREBY ORDERED and DECREED** that the petition for habeas corpus is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies, and no certificate of appealability shall be issued.

IT IS FURTHER ORDERED that the Clerk of the Court shall mark the above-captioned case **CLOSED**.

BY THE COURT:

_____/s/ Petrese B. Tucker

Honorable Petrese B. Tucker, U.S.D.J.